

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

LARRY P. LOWELL, JR., <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 3:13-CV-229-PLR-CCS
)	
SUMMER BAY MANAGEMENT, LC, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

The parties appeared before the undersigned for a telephonic discovery conference, pursuant to Section 3(j) of the Scheduling Order [Doc. 44]. The Court heard the parties' positions regarding the timing of punitive damages discovery. The Plaintiffs argued that discovery relating to the Defendants' ability to pay punitive damages should be completed at this time, while the Defendants maintained that such discovery should be delayed until closer to trial. In light of the numerous pending dispositive motions and the present trial date in this case, the Court proposed a compromise that would: (1) extend the deadline for completing punitive damages discovery and (2) stay the Defendants' obligation to respond to such discovery for a period, but not up until trial or the eve of trial. The parties did not object to the proposed compromise.

Accordingly, it is **ORDERED**:

1. The deadline for completing discovery contained in the Scheduling Order is **VACATED** with regard to punitive damages discovery;

2. The Defendants obligation to respond to the Plaintiffs' inquiries relating to punitive damages discovery is **STAYED** until **March 2, 2015**; and
3. The parties' **SHALL APPEAR** before the Court telephonically on **February 24, 2014, at 10:30 a.m.**, to address the procedural posture of this case and the status of the punitive damages discovery. The parties will initiate the conference call with chambers.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge